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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,054	12/12/2000	Sreenath Mambakkam	OS-12	7691
23933	7590	05/21/2004	EXAMINER	
STUART T AUVINEN 429 26TH AVENUE SANTA CRUZ, CA 95062-5319			DAVIS, ZACHARY A	
		ART UNIT	PAPER NUMBER	
		2137		
DATE MAILED: 05/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/681,054	MAMBAKKAM ET AL.	
	Examiner	Art Unit	
	Zachary A Davis	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 December 2000.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 12 December 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

The specification does not include a "Brief Summary of the Invention". See MPEP §608.01(d) and 37 C.F.R. 1.73.

In paragraph 41, line 4, reference is made to "timer 6" and "CPU 96", whereas elsewhere in the specification and in the figures, the timer is element 96 and the CPU is element 92. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Moran, US Patent 6539380.

In reference to Claim 1, Moran discloses a storage device including a host interface (Figure 3, access control device 16 and bus 14), a memory medium with a protected area (Figure 3, electronic data storage device 18, and column 6, lines 59-62), a biometric reader (Figure 3, biometric detection device 22), and a controller (Figure 3, data processor 28) that accepts biometric data from the reader and determines if the biometric data is for an authorized user (column 11, lines 35-37) and blocks access to the protected area when the user is not authorized (column 11, lines 45-50).

In reference to Claim 2, Moran further discloses that the biometric record is stored on a firmware memory (column 11, lines 8-11) and that the initialization routine performed by the controller is stored on a firmware memory (column 7, lines 13-16).

In reference to Claim 3, Moran further discloses that the biometric record is not stored on the host computer (column 10, lines 60-67, where biometric data is stored either in internal memory of the biometric detection device or of the access control device) and that when the storage device is connected to a different host computer the initialization routine is run again before authorizing access to the protected memory (column 6, lines 59-62, where any attempt to access the storage device must go through the access control).

In reference to Claim 4, Moran further discloses that the controller is part of a microcontroller that includes the firmware memory (column 7, lines 9-12).

In reference to Claim 5, Moran further discloses signaling the controller to read the biometric data (column 11, line 66-column 12, line 7).

In reference to Claim 6, Moran further discloses an unprotected memory area and that access is allowed to the unprotected area when biometric data is not for an authorized user (column 7, lines 65-66, where a permission may be a standard read/write permission).

In reference to Claim 7, further discloses that the biometric reader can be a fingerprint reader, a handprint reader, a facial geometry scanner, an iris reader, a retina scanner, or a voice-print recognizer (column 5, lines 22-27).

In reference to Claim 8, Moran further discloses that the interface uses a USB protocol (column 6, lines 53-58).

In reference to Claim 9, Moran further discloses that the memory medium can be solid-state memory (column 7, lines 34-37).

In reference to Claim 10, Moran further discloses that the memory medium is removable from the storage device (column 3, lines 19-23; column 8, lines 10-12).

In reference to Claim 11, Moran discloses a method for securing a storage device including activating and executing an initialization routine (see Figure 4; column 10, lines 39-43 and 47-51); activating a biometric input to capture biometric information (column 11, line 66-column 12, line 7); comparing the biometric information to a record for an authorized user to determine if the biometric information matches (column 12, lines 17-24); when the biometric information matches, allowing the host to access

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protected data in the storage device (column 11, lines 45-48); and when the biometric information does not match, preventing the host from accessing protected data in the storage device (column 11, lines 48-50).

In reference to Claim 12, Moran further discloses reading the record from non-volatile memory in the storage device (the stored identification information is read in column 12, lines 17-21; the identification information is stored in memory, column 10, lines 60-67).

In reference to Claim 13, Moran further discloses that the storage device accepts a removable medium (column 3, lines 19-23; column 8, lines 10-12).

In reference to Claim 14, Moran further discloses signaling the initialization routine when biometric information is captured (column 11, line 66-column 12, line 7).

In reference to Claim 15, Moran further discloses that several users' biometric records are stored on the storage device (column 10, lines 60-67, also noting that there can be multiple users, column 5, lines 39-45) and that the biometric information is compared to a plurality of records to find a closest match which is allowed access (column 5, lines 32-49).

In reference to Claim 16, Moran further discloses executing an installation routine including capturing biometric information from a new user, forming a template from the biometric information, and capturing additional biometric information, comparing the additional information with the template, and storing the template when the information matches (see column 12, lines 10-37, noting especially that a user previously provided

a measurement of a biometric parameter in order to be stored for later comparison, lines 21-24).

In reference to Claim 17, Moran discloses a peripheral including a host interface means (Figure 3, bus 14), a controller means (Figure 3, data processor 28), a memory means having a protected memory means (Figure 3, electronic data storage device 18, and column 6, lines 59-62), and a biometric reader means (Figure 3, biometric detection device 22). Moran further discloses that the controller means accepts biometric data from the biometric reader means and compares the biometric data to a record to determine if the user is authorized (column 11, lines 35-37), and blocks access to the memory means if the user is not authorized (column 11, lines 45-50).

In reference to Claim 18, Moran further discloses that the controller means includes a means for executing instructions (column 7, line 13), a means for storing the programmable routines (column 7, lines 13-16), and a means for accessing the memory means (column 7, lines 9-18).

In reference to Claim 19, Moran further discloses that the biometric record is stored in the code memory means (column 10, lines 64-67 where the fingerprint is stored in the memory or the access control device).

In reference to Claim 20, Moran further discloses that the biometric record includes data for locations where finger lines or patterns change direction or end (column 5, lines 22-27; column 12, lines 17-31).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Shaffer et al, US Patent 5784461, disclose an image access control system which can include a secure storage medium secured by personal access code such as a password or biometric.
 - b. Kramer, US Patent 6442286, discloses a smart card using fingerprint authentication.
 - c. Ritter, US Patent 6657538, discloses a method, system, and device for personal authentication by biometric data, which can include an external secured device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A Davis whose telephone number is (703) 305-8902. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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zad

Matthew Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137